

REMARKS

Claims 1-21 are pending in the application. All claims stand rejected. With regard to the drawing objections set forth on page 2 of the Office Action, the drawing sheet has been edited to correct the typographical error regarding the second-labeled figure. This figure should have been labeled as Figure 2. No new matter has been added. With regard to the specification objections set forth in paragraph 3 of the Office Action, the syntax error in the Abstract has also been corrected by the foregoing amendment.

With regard to the claim rejections under 35 U.S.C. §112, second paragraph, set forth on page 3 of the Office Action, the Applicant has clarified the claim language in a manner which overcomes the indefiniteness rejections set forth in the Office Action. These amendments have been made for purposes of clarity, and not for reasons related to patentability.

By the foregoing amendments, the Applicant has amended independent claim 1 to largely correspond to original claim 16, and has added new independent claim 22 which is similar to original claim 17. Original claims 16 and 17 stood rejected under 35 U.S.C. §103 as being unpatentable over Hamada, JP 02296030A (JP '030) in view of Gallmeyer, U.S. Patent No. 5,660,256. As admitted in the Office Action, the JP '030 reference only discloses supporting elements along the complete length of the mass member. Thus, JP '030 fails to disclose Applicant's claimed feature that the supporting elements, in the axial direction, extend along only a portion of the length of the mass member. Applicant also traverses the suggestion in the Office Action that JP '030 shows the supporting elements being connected to the mass member axially opposite the fixing sleeve at an axial distance from an end of a mass member and at least partially outside and adjoining an end of the mass member. As already admitted, the support elements extend along the entire length of the mass member and thus, cannot support the mass member only along a partial length thereof at an axial distance from an end of the mass member opposite the fixing sleeve (claim 1). Nor are the supporting elements of JP '030 connected to the mass member axially opposite the fixing sleeve

and arranged at least partially axially outside the length of the mass member adjoining an end thereof (claim 22).

Furthermore, the Gallmeyer reference does not disclose any connecting sleeve whatsoever. Thus, Gallmeyer likewise fails to disclose Applicant's claimed feature that the supporting elements are arranged in axial distance from an end of the mass member opposite the fixing sleeve (claim 1), or that the supporting elements are connected to the mass member axially opposite the fixing sleeve (claim 22). Accordingly, Applicant submits that the combination of JP '030 and Gallmeyer would not render obvious Applicant's claimed invention because JP '030 or Gallmeyer, alone or in combination, fail to disclose or suggest each and every feature of Applicant's claimed invention.

Applicant further requests that the rejections under 35 U.S.C. §103 be withdrawn because no reason has been shown why one of ordinary skill in the art would modify the JP '030 reference as suggested in the Office Action. No information is provided in JP '030 to discern why one of ordinary skill in the art would modify the device of JP '030 to reduce the length of the supporting members as claimed in the present invention. For this reason, the Applicant submits that the Office Action impermissibly uses the present invention as a template for modifying the prior art. *ACS Hosp. Sys., Inc. v. Montefiore Hosp.*, 732 F.2d 1572, 1577 (Fed. Cir. 1984) (It is impermissible to use the patent itself as the source of suggestion.) The focus must remain on what the prior art suggested to one of skill in the art at the time that the invention was made, as obviousness cannot be established by combining pieces of prior art absent some "teaching, suggestion, or incentive supporting the combination." *In re Geiger*, 815 F.2d 686, 688 (Fed. Cir. 1987).

The Applicant therefore submits that the present claims are allowable because the prior art relied upon does not disclose or suggest each and every feature of Applicant's claimed invention. Further, no valid reason has been shown as to why one of ordinary skill in the art would modify the JP '030 reference to arrive at the claimed invention, particularly since the JP '030 reference is directed toward only a small and lightweight vibration absorber. Thus, the Applicant submits that the rejections under 35 U.S.C. §103 should be withdrawn and a Notice of Allowance indicating the allowability

of claims 1-13 and 18-38 should be issued. The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 223-9500 if any unresolved matters remain.

Respectfully Submitted,

ARTZ & ARTZ P.C.

A handwritten signature in black ink, appearing to read "Robert P. Renke", is written over a horizontal line.

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IN THE DRAWINGS:

Please substitute the one (1) sheet of drawings submitted herewith containing Figures 1, 2, 3, 4 and 5 in place of the originally-filed drawing sheets containing the same Figures.